

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

ILLUMINATION DYNAMICS CO., LTD., a  
foreign company,

Plaintiff,

vs.

PACIFIC LIGHTING SOLUTIONS L.L.C.,  
and BILL ZHANG, an individual,

Defendants.

Case No: C 14-0078 SBA

**ORDER TO SHOW CAUSE**

This is a breach of contract action brought by Plaintiff Illumination Dynamics (“Plaintiff”) against Defendants Pacific Lighting Solutions L.L.C. (“PLS”) and Bill Zhang. Early in the action, the Magistrate Judge then assigned to the case granted Plaintiff’s request for a Writ of Attachment (“Writ”), which was served on PLS and non-party Menard, Inc. (“Menard”). Dkt. 14, 35. Pursuant to the writ, Menard deposited the sum of \$183,504.60 with the Court. Dkt. 78. On August 18, 2014, the Court vacated the Writ. Dkt. 69.

PLS subsequently requested that the Court direct the Clerk to release and return the sum of \$183,504.60 to Menard. Dkt. 80. The Court denied the motion on the ground that Menard is not a party to this action and was not making the request, and that PLS had failed to show that it had the authority to submit any requests to this Court ostensibly on Menard’s behalf. Dkt. 83.

On or about June 18, 2015, the Court received a letter from Menard’s in-house counsel requesting the return of the funds previously deposited with the Court. Because the letter was mailed to the Court, the Court Clerk contacted Menard’s counsel with instructions to e-file a motion requesting the return of its funds. Menard failed to do so.

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1 Notwithstanding Menard's failure to comply with the filing rules of this Court and the  
2 instructions of the Clerk, the fact remains that \$183,504.60 remains on deposit with the  
3 Court. Since the Writ has been vacated, there ostensibly is no reason for the Court to  
4 continue holding such funds. Accordingly,

5 IT IS HEREBY ORDERED THAT the parties shall show cause why the sum of  
6 \$183,504.60 should not be returned to Menard. Any response to this order to show cause  
7 shall be presented in a memorandum, not to exceed five (5) pages, which shall be filed by  
8 no later than July 14, 2015. In the event the Court receives no response to this Order, the  
9 Court will presume that all parties are in agreement that said funds should be released to  
10 Menard forthwith. The Clerk shall serve a copy of this Order on Menard, addressed as  
11 follows:

12 Menard, Inc.  
13 Attn: Todd Lemanski  
14 5101 Menard Dr.  
Eau Claire, WI 54703-9625

15 IT IS SO ORDERED.

16 Dated: 7/1/15

  
17 SAUNDRA BROWN ARMSTRONG  
18 United States District Judge  
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